

REMARKS

Reconsideration and withdrawal of the objection and rejections set forth in the above-mentioned Official Action in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1 and 3-7 remain pending in the application, with Claim 1 being the sole independent claim. Claim 1 has been amended herein.

Initially, Applicant again notes with appreciation the indication that Claims 5 and 7 recite allowable subject matter. However, since Claim 1 is believed to be patentable for the reasons discussed below, Claims 5 and 7 will not be rewritten in independent form at this time.

Claims 1 and 6 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,075,609 (Ito et al.). Claims 3 and 4 were rejected under § 103 as being unpatentable over Ito et al. in view of European Patent Application No. 1 029 696 (Angulo). These rejections are respectfully traversed.

In the claimed arrangement, the encoder sensor is provided on the carriage and is disposed at a side across the recording position from the guide shaft with respect to the feeding direction of the recording medium. With such an arrangement, the overall height of the entire scanning portion and the recording device can be reduced and recording accuracy can be improved.

In Ito et al., the recording apparatus depicted in Figure 4 includes a carriage 2 within an integrally-formed photointerrupter 12. As discussed previously, photointerrupter 12, as well as encoder slit 11, are disposed between guide shafts 5a and 5b. Ink is ejected horizontally from recording head 4 to the recording paper, which is fed vertically. The recording position in Ito et al. would be on the vertical plane of the recording medium. Accordingly, the photointerrupter in Ito et al. cannot be considered to be disposed at a side across the recording position from the guide shaft with respect to the feeding direction of the recording medium, as is recited in independent Claim 1.

Thus, Ito et al. fails to disclose or suggest important features of the present invention recited in independent Claim 1.

Angulo describes a printer with a carriage and an encoded strip. However, Angulo is not believed to remedy the deficiencies of Ito et al. noted above with respect to independent Claim 1.

Accordingly, independent Claim 1 is patentable over the citations of record. Reconsideration and withdrawal of the § 103 rejections are respectfully requested.

For the foregoing reasons, Applicant respectfully submits that the present invention is patentably defined by independent Claim 1. Dependent Claims 3-7 are also allowable, in their own right, for defining features of the present invention in addition to those recited in independent Claim 1. Individual consideration of the dependent claims is requested.

Applicant submits that the present application is in condition for allowance. Favorable reconsideration, withdrawal of the objection and rejections set forth in the above-noted Office Action, and an early Notice of Allowability are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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